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ABSTRACT

The Emergency Building Temperature Restrictions Regulations, effective July 16, 1979, place temporary restrictions on temperatures for heating, cooling, and domestic hot water in commercial, industrial, government, and other nonresidential buildings. This manual contains instructions for determining if the regulations apply to a building, complying with the regulations, and adjusting air and water temperatures. Three separate forms are included: Certificate of Building Compliance, Exemption Information Form, and Building Compliance Information Form. (Author/MIF)

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ED176404

United States
Department
of Energy

# HOW TO COMPLY WITH THE EMERGENCY BUILDING TEMPERATURE RESTRICTIONS

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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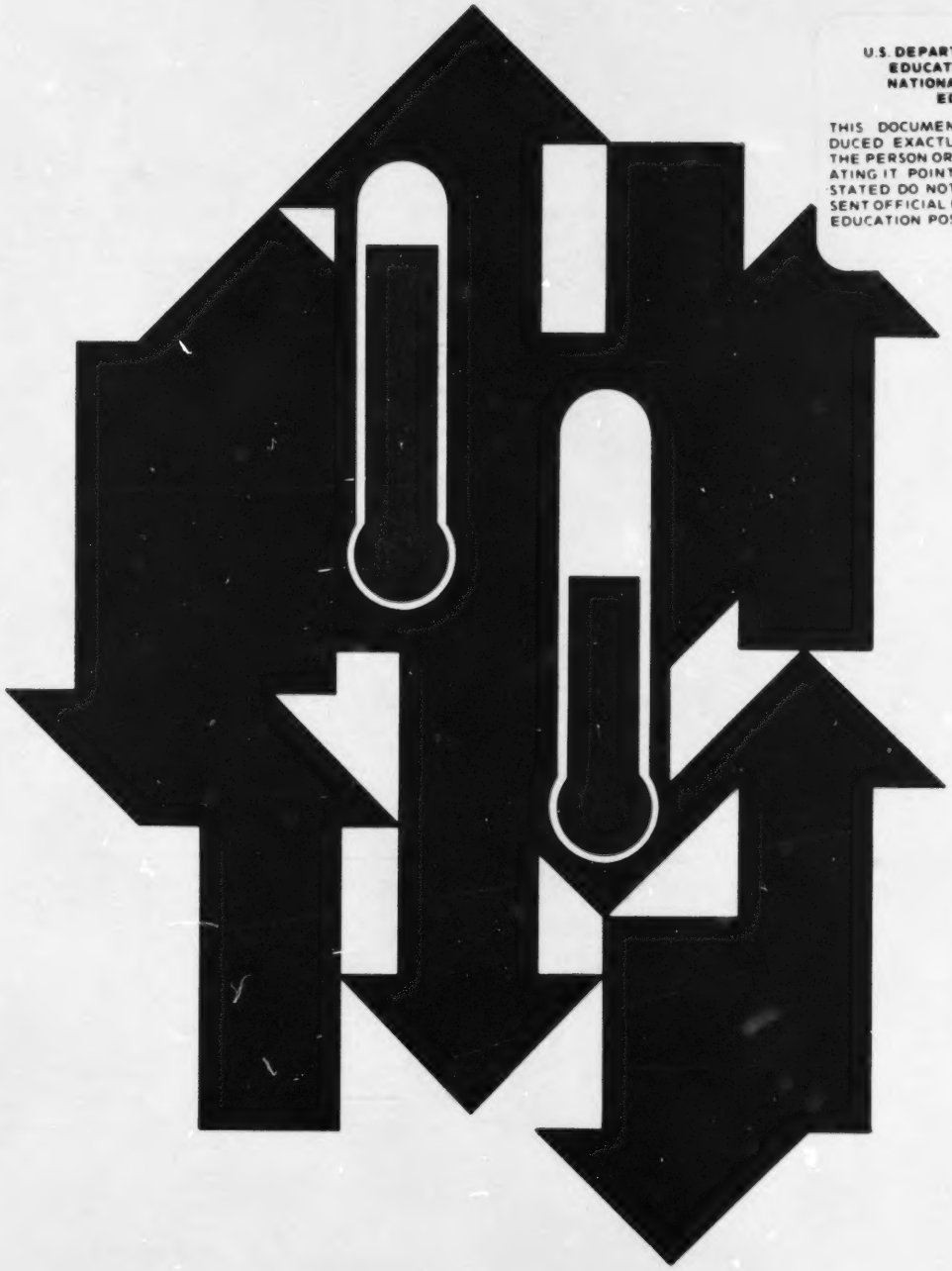

EA 012 132

**Department of Energy**
**Washington, D.C. 20585**

July 1979

*MY FELLOW CITIZENS:*

There is abundant evidence that serious problems lie ahead for our country unless we act now to avoid them. Unless we act now, there may not be enough fuel oil to adequately heat homes, schools and businesses during the coming winter. Unless we act now, chronic fuel shortages, together with rapidly increasing fuel prices, will threaten our Nation with recession, higher inflation and unemployment.

Nearly half of the oil we use is imported and roughly two-thirds of that is supplied by the member nations of OPEC, the Organization of Petroleum Exporting Countries. OPEC has proven its ability to reduce production and raise prices virtually at will. The price increases announced in June were the steepest since the embargo of 1973.

The Nation must respond to this threat. Our growing dependence on uncertain and costly supplies of imported oil must be reversed. Accordingly, the President has committed the United States to hold oil imports below 8.5 million barrels per day through 1980. He announced that decision after his June meeting in Tokyo with the leaders of six oil-dependent industrial nations, whose concerns reflect our own.

Secondly, the President has determined that a severe energy supply interruption exists and has ordered the immediate imposition of the Standby Emergency Building Temperature Restrictions Plan.

This Plan sets strict limits on heating and cooling temperatures in millions of non-residential buildings throughout the country. I recognize that every citizen may in some way be inconvenienced by the Plan. Each of us may be a little warmer this summer and a little cooler next winter. But it also will help provide needed supplies of heating oil for the winter. It is estimated that, with full compliance nationwide, oil use can be reduced by as much as *400,000* barrels daily. At current OPEC prices, this represents a potential savings to the Nation of more than $2 billion during the projected 9-month life of this program.

The measures called for in this effort are essential, and will prove both effective and equitable. They will help us develop new approaches in our use of energy and move us as a Nation toward wiser energy management.

**The Secretary**
**Department of Energy**

# INTRODUCTION

## What You Must Do With These Instructions

**If you are a Building Owner, Operator, or Manager** with control over the building's heating, cooling, and hot water system, you must:

- Comply with these regulations, *and*
- Complete the appropriate forms.

**If you are a Building Tenant** with control over any portion of the building's heating or cooling system, you must:

- Comply with these regulations, *and*
- Forward these instructions to the building owner, operator, or manager.

**If you are a Building Tenant** with no control over any portion of the building's heating or cooling system, you are requested to:

- Forward these instructions to the building owner, operator, or manager.

The Emergency Building Temperature Restrictions Regulations,[1] effective July 16, 1979, place temporary restrictions on temperatures for heating, cooling, and domestic hot water in commercial, industrial, government, and other nonresidential buildings. The regulations generally require that thermostats be set no lower than 78°F for cooling, no higher than 65°F for heating, and no higher than 105°F for domestic hot water. Provisions are made, however, for maintenance of room temperatures at these limits as an alternative to thermostat settings. The regulations also require room temperature set-backs during periods when the building is unoccupied.

Owners and operators of buildings covered by the regulations are required to post a *Certificate of Building Compliance* in a prominent location in their buildings within 30 days of the effective date of the regulations. Tenants also are required to comply with the regulations although they are *not* required to post a Certificate or file documents with the Government.

Certain types of buildings and portions of certain buildings are excluded from the temperature restrictions. Exemptions also are available under certain specified conditions.

Civil penalties of up to $5,000 and criminal penalties of up to $10,000 are provided for violations of the regulations. The regulations will remain in effect until April 16, 1980, unless rescinded earlier by the President.

[1] *Pursuant to Sections 201(a) and (b) of the* Energy Policy and Conservation Act of 1975 *(42 U.S.C. 6201 et. seq.), the President developed* Standby Conservation Plan No. 2, Emergency Building Temperature Restrictions *(the Plan) and sent it to the Congress on March 1, 1979. The Department of Energy (DOE) published a notice in the* Federal Register *on March 8, 1979 (44 FR 12906), of the President's adoption of the Plan. The Plan was approved by resolutions of the Senate on May 2, 1979, and of the House of Representatives on May 10, 1979. Proposed regulations were published in the* Federal Register *on June 1, 1979 (44 FR 31927). DOE published final regulations in the* Federal Register *on July 5, 1979 (44 FR 39354). On July 10, 1979, the President issued and transmitted to Congress a Proclamation stating his finding that a "severe energy supply interruption . . . currently exists with respect to the supply of imported crude oil and petroleum products" (44 FR 40629). In the Proclamation, the President invoked his authority to implement the emergency building temperature restrictions, and declared July 16, 1979, as the effective date of the Plan and the regulations. DOE published a notice in the* Federal Register *on July 16, 1979, of the effective date of the Plan and the regulations (44 FR 41205).*

# REGULATIONS

## Part A: How to Determine if the Regulations Apply to Your Building

**1. Buildings which are covered.** The regulations cover all *non-residential* buildings in the country, unless a building is specifically excluded or exempted.

**2. Buildings which are excluded.** The regulations exclude all or portions of four types of buildings:

**A. Residential Buildings.** Buildings, or areas of buildings, used exclusively for residential purposes are not subject to these temperature restrictions. However, non-residential portions of such buildings that have separate heating, cooling or hot water temperature controls, and which are used for commercial, industrial or other business purposes are covered and must comply with the regulations.

**B. Hotels and Other Lodging Facilities.** Buildings that, in the ordinary course of business, provide lodging or sleeping accomodations to the public or to private guests are not covered by these regulations. However, if the non-sleeping areas of such buildings have separate heating, cooling or water temperature controls, these areas are covered by the regulations. In hotel buildings, for example, the retail stores, restaurants, meeting rooms, lobbies, and offices that have separate temperature controls are covered and must be in compliance with the regulations.

**C. Hospitals and Other Health-Care Facilities.** Facilities authorized under State law to provide hospital or health-care services (*e.g.*, general or specialized hospitals, clinics, and nursing or convalescent homes) are excluded. However, if the administrative or other portions of such buildings where patient care is not provided have separate heating, cooling or water temperature controls, such areas are covered by the regulations. Medical, dental and nursing school buildings, administrative buildings, and other buildings associated with hospitals and other health-care facilities, but where patients are not treated, are covered and must comply with the regulations. The offices of physicians and dentists are *not* excluded, but an exemption for health-related reasons is available. (For further detail, please see the *Exemption Information Form.*)

**D. Elementary Schools, Nursery Schools, and Day-Care Centers.** Buildings housing elementary schools (through sixth grade), nursery schools, and day-care centers (as defined by State or local law) are not covered by the regulations. However, if a building is used by both elementary and junior or senior high school level students, and those areas used by junior or senior high school students have separate heating, cooling or water temperature controls, then those areas are covered and must be in compliance with the regulations.

It is possible for *portions of a building* to be excluded while the remainder of the same building is covered by these regulations. If you determine, after careful reading of these instructions, that your entire building comes under one of the exclusions, you need do nothing further. However, if you determine that your building is *not* wholly excluded, you must comply with the regulations.

**3. Buildings and facilities which are exempted.** A building owner, operator or tenant may be entitled to an *exemption* from the temperature restrictions under certain specified conditions. These exemptions are described on the *Exemption Information Form.* The exemptions are of two types: (1) general exemptions, which relate to the circumstances of a business activity, and (2) system related exemptions, which relate to conditions or operating features of heating, cooling or hot water equipment and systems.

As a rule, the *general* exemptions are available only to that portion or area of a building where the specified conditions exist. For example, an exemption for "special equipment," such as a computer facility, would be available *only* in those areas within the covered building containing such equipment, and in no other areas. Only if the building is served by a single master temperature control does the exemption extend beyond such areas.

## Part B: How to Comply with the Regulations — Certificates and Forms

This manual contains three separate forms: (1) *Certificate of Building Compliance*, (2) *Exemption Information Form*, and (3) *Building Compliance Information Form*. Only the owner or operator of the covered building is required to complete these forms. Instructions on the responsibilities and liabilities of *tenants* are presented in Part E, below.

**Certificate of Building Compliance:** In *all* cases (unless the building is *wholly* excluded), the owner or operator must complete this form, remove it from the manual, and post it in a prominent public location within the building, *e.g.*, lobby or bulletin board. Failure to post this Certificate by August 15, 1979, 30 days after the effective date of the regulations, is a violation subject to penalties. However, delays occurring in the distribution and receipt of the forms will be taken into account in determining compliance with the certification requirement.

**Exemption Information Form:** This form is to be completed *only* if one or more of the specified exemptions are claimed for areas within a covered building, or if a special *exception* has been granted by DOE. If *exemptions* are claimed by tenants of the building, the building owner or operator is advised to obtain a written statement from such tenants which describes and justifies the claimed exemption(s). Such support documentation should be retained by the owner/operator, along with the Form, and must be available for review in the event of an inspection of the building.

***Important Note:*** *You are not required to apply to DOE for an exemption from these temperature restrictions. Any authorized exemption (as specified on the* Exemption Information Form*) becomes effective immediately upon your completion of the Form. You may be subject to a penalty, however, if a claimed exemption is determined to be invalid upon a later inspection and ruling by DOE. A building owner or operator shall not be liable for penalties as a result of an invalid exemption claimed by a tenant.*

**Building Compliance Information Form:** Submittal of this form is mandatory only if claiming an exemption. Those claiming an exemption must complete the Form and return it to DOE with proper postage by August 15, 1979, or within 10 days after receipt of this manual, whichever is later.

## Part C: How to Comply with the Regulations — Adjusting Air Temperatures

**1. Heating and Cooling Temperature Restrictions.** The regulations divide heating, ventilating, and air-conditioning (HVAC) systems into two basic categories: (1) simple systems which, at any given time, can either heat or cool, but cannot heat and cool simultaneously, and (2) compound or integrated systems which have the capability to heat and cool simultaneously, or heat one area of a building while cooling another.

These instructions cover those periods when the building is normally occupied. A building is considered *occupied*, day or night, when all or part of it is used for ordinary or customary functions, but *not* including such daily service functions as cleaning and maintenance. Instructions for heating and cooling during unoccupied periods are provided below.

**A. Simple Systems:** When the cooling system is operating, the thermostats shall be set so that no cooling energy is used to lower the room temperature below 78°F. When the heating system is operating, thermostats shall be set so that no heating energy is used to raise the room temperature above 65°F. (The temperature is to be measured with a "dry-bulb," or ordinary thermometer.) However, when cooling, the dry-bulb temperature may be lowered below 78°F to the extent necessary to lower the room "dew-point" temperature to not lower

than 65°F. (Dew-point temperature is a measure of humidity. Instructions on how to determine the dew-point temperature are provided below under *Temperature Measurement Techniques*.)

You may comply with these requirements by simply setting the thermostat(s) to the required point, *i.e.*, 78°F when cooling or 65°F when heating, or you may comply by adjusting the thermostat(s) so that the room air temperature is maintained at the prescribed levels. For further instructions, see *Temperature Measurement Techniques*, below.

**B. Compound or Integrated Systems:** These systems include dual-duct, reheat, recool, multizone fans, fan-coil units in combination with central air or refrigerant, induction units in combination with central air, central systems with independent window air-conditioners or heat pumps, and similar systems. Several alternatives are provided for compliance in buildings with these systems, depending upon the type or configuration of HVAC system used.

**1.** The building owner/operator may set each temperature control device so the dry-bulb temperature (as measured in *any* room controlled by the *same* device) is not lower than 78°F when cooling or higher than 65°F when heating. For example, if the air temperature in three separate rooms is controlled by one thermostat, you may use the measured dry-bulb temperature in any one of those rooms to determine whether you are in compliance with the regulations, *regardless of the thermostat setting*. This same approach may be applied to control the dew-point temperature.

**2.** Alternatively, the owner/operator may use one of the compliance strategies outlined below:

**a. Heating coils combined with constant-air-volume and/or variable-air-volume HVAC systems.** In such systems, the heating coils used for exterior zones of a building typically are located in fan-coil units, induction units, baseboard heaters or similar units. To be in compliance, you may set the air-temperature control devices so that:

- When cooling, no heat is provided to the heating unit;
- At all times, no coolant liquid *e.g.*, chilled water or refrigerant, is supplied to the cooling coils at temperatures below 55°F; and
- When heating, the room dry-bulb temperature is maintained not higher than 65°F.

**b. Central chiller/heat pump HVAC systems.** Such systems typically use a central chiller to supply cool air to the inner core of the building and circulate the warm condenser water from the chiller to the exterior rooms where heat is extracted by room heat pumps. For such systems, the building shall not be cooled below 78°F. When heating, the exterior zones shall not be heated above 65°F.

**c. Constant or variable-air-volume-with-reheat and variable-air-volume ("all-air") systems:** To be in compliance, set air temperature control devices so that:

- At all times, the temperature of the air leaving the cooling coils is at least 60°F; and
- When cooling, the heating system is turned OFF and the thermostats (or other local temperature control devices) are set at 78°F; and
- When heating, the cooling system is turned OFF and the thermostats are set at 65°F.

**3.** Instead of using any of the above compliance strategies, the owner/operator may use an alternative approach if a licensed professional engineer certifies it will consume less energy for heating and cooling the building than the approaches described above. However, such an alternative approach must include adjusting the cooling system so that: (a) no liquid coolant is provided to cooling coils at a temperature below 55°F; *or* (b) the dry-bulb temperature of air leaving the cooling coils is 60°F or higher.

***Important Note:*** *You may alternate at any time between the compliance strategies described in B-1, B-2, and B-3, above, to achieve permissible temperature levels. For example, with a fan-coil system, if room temperature when cooling cannot be reduced to 78° F with a circulated chilled water temperature of 55° F, you may lower the temperature of the chilled water. In doing so, however, you must then insure that room air temperature is not lowered below 78° F. If at another time, outside air temperatures or*

*interior heat loads should be reduced, you may adopt the alternative approach of maintaining chilled water at 55° F, or higher, regardless of the actual room air temperatures. Other actions may improve levels of comfort. Fans will assist the normal movement of air. Windows may be better insulated with shades or drapes. People may be moved away from hot or cold exterior walls and windows.*

**2. Temperature Restrictions When a Building Is Unoccupied.** These provisions apply to *all* covered buildings, whether they have simple or complex HVAC systems.

HVAC systems must be turned OFF when a building is to be unoccupied for 8 hours or more, unless damage would occur to the building or its contents *or* the minimum anticipated outdoor air temperature (dry-bulb) during the unoccupied period is expected to be lower than 50° F.

In the latter case, the temperature control devices must be set so that either: (a) the room dry-bulb temperature is not greater than 55° F, *or* (b) the heated supply-air dry-bulb temperature is less than 100° F, *or* (c) the heating-water temperature is less than 120° F, *or* (d) the room air temperature control devices are set to a level not higher than 55° F, or at their lowest set-point. Both heating and cooling systems may be turned OFF by turning off the circulating air or circulating water systems.

**3. Temperature Measurement Techniques.** To determine whether a building is in compliance with these temperature restrictions, any one of the following measurement techniques may be used:

**A.** Compliance may be shown by reading the set-point of the thermostat. Building owners/operators are required to maintain thermostats at reasonable tolerances of accuracy. Any intentional alteration or damaging of such devices to produce inaccurate readings is a violation of the regulations.

**B.** Alternatively, measurements of the actual room temperature and humidity levels may be made by the following means:

- For measuring dry-bulb temperatures:
  - Reading a thermometer placed within two feet of the thermostat; or
  - Averaging the thermometer readings taken two feet away from and at the center of each external wall in the room, and at the center of the room; or
  - Taking the temperature at the center of the room if there are no external walls.
- For measuring dew-point temperature:
  - Using an instrument that indicates dew-point temperature; or
  - Inference from the dry-bulb temperature and relative humidity (See Table 1 below.)
- For measuring relative humidity:
  - A humidity-indicating device (hygrometer); or
  - Inference from the dew-point or from wet-bulb and dry-bulb temperature measurements (psychrometer).
- For measuring wet-bulb temperature:
  - An instrument for measuring wet-bulb temperature (psychrometer); or
  - Inference from the dew-point temperature or relative humidity.

Dew-point or wet-bulb temperatures and relative humidity may be measured within two feet of the humidity space-conditioning control device (humidistat), if located in the room, or in the same location used in measuring the dry-bulb temperature. To allow for HVAC system cycling, several temperature and humidity readings may be spaced to accommodate the time needed for compressors to go through their "on-off" cycles. Where an air-temperature control device controls the temperature in more than one room, the measurement(s) may be made in any one room controlled by that device.

**4. Use of Portable Heaters and Ventilating Equipment.** The use of auxiliary heating devices, *e.g.*, portable electric heaters or heat lamps, is prohibited, except: (1) when the room dry-bulb temperature is below 65° F, or (2) to provide spot heating when the building is unoccupied. For example, a person working overtime may use auxiliary heating equipment.

The use of ventilating fans or ventilating systems is authorized, even when such use will raise the room temperature above 65° F (dry-bulb) or lower it below 78° F (dry-bulb). The use of free-standing fans within rooms is authorized at all times.

**Table 1**: Dew-point temperature (°F) estimated from measurements of dry-bulb temperature and relative humidity.

| Dry-Bulb Temperature (°F) | Relative Humidity (Percent) | | | | |
|---|---|---|---|---|---|
| | 50 | 60 | 70 | 80 | 90 |
| 70 | 51° | 56° | 60° | 64° | 67° |
| 75 | 55° | 60° | 65° | 68° | 72° |
| 78 | 58° | 63° | 67° | 71° | 75° |
| 80 | 60° | 65° | 69° | 73° | 77° |
| 85 | 64° | 70° | 74° | 78° | 82° |

Using an ordinary thermometer and a relative humidity gauge, the approximate dew-point temperature can be estimated from this Table. Example: If the indoor dry-bulb temperature measures 78°F and the relative humidity (measured within the room) is 70 percent, the dew-point temperature is approximately 67°F. Under these conditions, the thermostat may be lowered below 78°F to reduce the dew-point temperature to not more than 65°F. This may be done by first lowering the thermostat one degree to 77°F, and rechecking the relative humidity after the room temperature has stabilized. If the estimated dew-point temperature is still above 65°F, the thermostat may be lowered slightly again, and this process repeated until the estimated dew-point is 65°F.

## Part D: How to Comply with the Regulations — Adjusting Water Temperatures

These restrictions apply only to "domestic" hot water — that is, water used for personal hygiene or general cleaning, for example, in rest rooms or janitorial facilities. Temperature control devices for domestic hot water must be set at 105°F or the lowest setting on the control device, whichever is higher. When a building is unoccupied for more than eight hours, the domestic hot-water circulating system pumps (if any) must be turned OFF, unless this would damage the building, its systems, or its internal processes. Exemptions from these requirements are described on the *Exemption Information Form*.

Compliance with the hot-water temperature restrictions may be determined by measuring the water temperature:

a. in the hot-water supply line; or

b. at the tank temperature control point; or

c. at the tap nearest to the tank discharge point.

Some systems may not have large hot-water storage capacity. In such cases, operators may take advantage of option "c" by installing a mixing valve between the hot-water tank and the nearest tap. This will allow water in the storage tank to be heated above 105°F.

Water temperature control devices must be maintained within reasonable tolerances of accuracy, and any alteration with the intent of having that device function inaccurately is prohibited.

## Part E: Tenant Responsibilities

Tenants of buildings covered by these regulations who have control of temperature control devices such as wall thermostats and window air-conditioners are required to maintain such devices at the levels required by the regulations. Failure to comply with these requirements is a violation subject to penalties.

A tenant entitled to an exemption is required to notify the building owner or operator in writing of such exemption. The exemption becomes effective upon notification of the owner/operator. The owner/operator will attach the claimed exemption to the *Exemption Information Form* which he is required to complete and retain on file.

## Part F: Special Exceptions

In addition to the exemptions (see the *Exemption Information Form*), *special exceptions* will be granted when these regulations create special hardship, inequity, or an unfair distribution of the burden. Applications for *special exceptions* must be in writing and signed by the person or persons so affected. The application should set forth the revelant facts and explain why these regulations create a special hardship, inequity, or an unfair distribution of the burden. The building (or area therein) in which the requested exception would apply also should be identified.

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CS-198

Form Approved OMB No. 038-S79046

# EMERGENCY BUILDING TEMPERATURE RESTRICTIONS CERTIFICATE OF BUILDING COMPLIANCE

Building Name

Address

Telephone | No. of Stories | No. of Square Ft.

This is to certify that the undersigned is in compliance with the Emergency Building Temperature Restrictions Plan. Accordingly, the cooling, heating, and hot water temperatures of these premises have been adjusted in an attempt to achieve the reductions in energy consumption contemplated under the emergency measures.

(Check Appropriate Category)

☐ Full Compliance

☐ Exempted Compliance
*(See Building Manager for Exemption Details)*

☐ Excepted From Compliance
*(See Building Manager for Exception Application)*

Building Owner or Operator (Signature)

Date

10

11

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Form Approved
OMB No. 038-S79046

# U.S. DEPARTMENT OF ENERGY
# EXEMPTION INFORMATION FORM

*Building owners or operators must complete this form and keep it on file.*
*Please do not forward the form to the Department of Energy.*

## 1. Respondent/Building Identification

(Respondent's Name)

(Building Address)

(Respondent's Area Code and Telephone Number)

## 2. Building Owner Identification (if different)

(Owner's Name)

(Owner's Address, if different)

(Owner's Area Code and Telephone Number, if different)

## 3. Building Type (Please Check One)

- ☐ **A.** industrial/manufacturing
- ☐ **B.** school
- ☐ **C.** restaurant
- ☐ **D.** retail store (other than retail food store)
- ☐ **E.** hospital/health care
- ☐ **F.** office
- ☐ **G.** hotel/lodging
- ☐ **H.** shopping center
- ☐ **I.** warehouse
- ☐ **J.** retail food store
- ☐ **K.** combination of above (please specify letters)
- ☐ **L.** other (please specify)

## 4. Exemption Information

**Instructions.** You are entitled to claim exemption for as much of the building's area as is required to provide necessary temperatures to exempt areas. Exemptions shall become effective when claimed. There are two types of exemptions: (1) a general exemption which results from a situation of your business, and (2) a system-specific exemption due to the nature of your building's heating and cooling and/or hot water systems. Please check the exemption(s) that apply to your building. Note that section numbers refer to Department of Energy regulations (44 FR 39354, July 5, 1979).

**General exemptions** (490.31)

- ☐ **A.** Maintenance of specified temperature levels is required by manufacturer's warranty (or other applicable instructions or equipment service contracts) to prevent damage to special equipment. 490.31(a)(1) *Example:* computer rooms.
- ☐ **B.** Maintenance of specified temperature and humidity levels is critical to materials and equipment used in manufacturing, industrial or commercial processes. 490.31(a)(2) *Examples:* freeze drying, certain printing processes, and manufacturing and handling of explosives.
- ☐ **C.** Maintenance of specified temperature and humidity levels is required for proper storage or handling of food or other agricultural commodities, raw materials, goods in process, and finished goods. 490.31(a)(3) *Example:* perishable-food warehouses.
- ☐ **D.** Special environmental conditions are required to protect plant or animal life or materials essential to the operation of a business. 490.31(a)(4) *Examples:* greenhouses, museums, certain laboratories, art galleries, zoos, and veterinary hospitals.
- ☐ **E.** Maintenance of specific temperature levels is required to protect the health of persons 490.31(a)(5):

  (i) in offices of physicians, dentists, and other members of health care professions licensed by the state to provide health-related services; or

  (ii) engaged in rehabilitative physical therapy in physical therapy facilities; or

  (iii) utilizing indoor swimming pools. (This exemption applies only to heating restrictions.)
- ☐ **F.** Maintenance of specific temperature or humidity levels is required to prevent damage to the structure or insulation of the building. 490.31(a)(6)

**System-specific exemptions** (490.18)

**Exemptions affecting heating and cooling systems** (490.18)

☐ **G.** Buildings or portions thereof which are neither heated nor cooled; and buildings or portions thereof which are equipped with space heating devices and space cooling devices with total rated output less than 3.5 Btu per hour (1 watt) per square foot of gross floor area. (You should be able to find the output on a label on the equipment, in the manufacturer's literature, or in the warranty statement.) 490.18(a)(1)

☐ **H.** Buildings that are cooled by a heating, ventilating, and air conditioning (HVAC) system capable of using outdoor air or evaporation of water for cooling effect without operation of a vapor compression or absorption-refrigeration system. (Applicable only at those times when such a system is used for cooling and when the outdoor air and/or evaporator effect provides the only cooling source.) 490.18(a)(2)

☐ **I.** Buildings that use otherwise wasted energy in, or to power, HVAC systems. (Applicable only at those times when wasted energy is the only source of heating and cooling energy.) 490.18(a)(3)

☐ **J.** Buildings that use solar HVAC systems. (Applicable only at those times when solar energy is the only source of heating and cooling energy.) 490.18(a)(4)

☐ **K.** Buildings that have HVAC systems whose capacity is insufficient to maintain the building at minimum authorized temperature or humidity levels for cooling. The reduced temperature levels may be maintained only for the period necessary for the temperature to reach the minimum level otherwise permitted during the building's occupied period. 490.18(b)

☐ **L.** If a licensed Professional Engineer (P.E.) certifies that operation of the HVAC system in accordance with the regulations will result in consumption of more energy than will some alternate procedure and the owner/operator agrees to implement this alternate procedure. 490.12(e)(1)

**Exemptions affecting hot water systems** (490.24)

☐ **M.** Buildings where the domestic hot water heating equipment also provides hot water for manufacturing, industrial or commercial processes which require hot water temperature higher than 105°F. 490.24(a)

☐ **N.** Buildings where domestic hot water is the only source of water available for dishwashing or other purposes which are covered under state or local health regulations prescribing a higher minimum temperature than 105°F. 490.24(b)

☐ **O.** Buildings where domestic water heating/space heating boilers are combined. (This exemption applies only when the space heater is used.) 490.24(c)

☐ **P.** Buildings where solar energy (except for pumps and fans) provides the only source for domestic hot water heating energy. When a non-solar energy source is operating together with solar energy, this exemption does not apply. 490.24(d)

☐ **Q.** Buildings where otherwise wasted energy provides the only source for domestic hot water heating energy. (Applies only at those times when wasted energy is the only source of energy.) 490.24(e)

## 5. Exemption Justification

For each exemption checked in Section 4 above, attach hereto, and retain for possible inspection, written statements provided to you by tenants claiming exemptions within your building.

## 6. Specific Exceptions

☐ Check here if a specific exception has been granted by the Department of Energy for the building or any portion of the building.

Name _____ Title _____

Signature _____ Date _____

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Form Approved
OMB No. 038-S79046

# U.S. DEPARTMENT OF ENERGY
# BUILDING COMPLIANCE INFORMATION FORM

(Submittal of this Form is *Mandatory* if any Exemptions are Claimed.)

*Please Type or Print — See Instructions on Pages 3.*

## 1. Building Owner-Operator-Manager

Name (Last, First, Middle) _____

Building Street Address _____

City _____ State _____ ZIP Code _____

## 2. Building Size

A. Approximate Gross Floor Area in Thousands of Square Feet ☐☐☐☐☐

B. Number of Stories Heated and/or Air Conditioned ☐☐☐

## 3. Building Type (Please Check One)

- ☐ A. Industrial/Manufacturing
- ☐ B. School
- ☐ C. Restaurant
- ☐ D. Retail Store (other than retail food store)
- ☐ E. Hospital/Health Care
- ☐ F. Office
- ☐ G. Hotel/Other Lodging
- ☐ H. Shopping Center
- ☐ I. Warehouse
- ☐ J. Retail Food Store
- ☐ K. Combinations of Above (insert letters) ☐☐☐☐
- ☐ L. Other (please use less than 15 letters) _____

## 4. Exemptions (If Claimed)

**General**

- ☐ A. Equipment Warranty
- ☐ B. Processes
- ☐ C. Perishables
- ☐ D. Plant/Animal/Materials
- ☐ E. Health Protection
- ☐ F. Building Structure

**System Specific**

- ☐ G. No System
- ☐ H. Outside Air
- ☐ I. Waste Energy
- ☐ J. Solar Energy
- ☐ K. Under Capacity
- ☐ L. Certification

**Hot Water**

- ☐ M. Dual Use
- ☐ N. Dishwashing
- ☐ O. Combined
- ☐ P. Solar Energy
- ☐ Q. Waste Energy

## 5. Compliance Action Taken

- ☐ A. Full Compliance
- ☐ B. Compliance With Authorized Exemptions
- ☐ C. Exception Requested

## 6. Year This Building Was Originally Constructed ☐☐☐☐

## 7. Types of Fuels Used For Heating and Air Conditioning

**Space Heating**

- ☐ A. Electricity
- ☐ B. Natural Gas
- ☐ C. Fuel Oil
- ☐ D. Coal
- ☐ E. Propane
- ☐ F. Other (specify) _____

**Air Conditioning**

- ☐ A. Electricity
- ☐ B. Gas
- ☐ C. Other (specify) _____

D. What percentage of this building's gross floor space is air conditioned? ☐☐☐ %

Tear along perforation

Fold One

Fold Two

First Class

Place
Stamp
Here

**Emergency Building Temperature Restrictions**
Room GE-004A (CS-39)
Forrestal Building
U.S. Department of Energy
Washington, D.C. 20585

(Staple or tape here)

The letter, and any supporting documents, should be sent to the nearest DOE Regional Office of Hearings and Appeals. The envelope should be labeled: "APPLICATION FOR EXCEPTION—EBTR." Mailing addresses for the five DOE Regional Offices of Hearings and Appeals are:

26 Federal Plaza
New York City, NY 10007

1655 Peachtree Street, N.E.
Atlanta, GA 30309

2626 Mockingbird Lane
Dallas, TX 75235

175 West Jackson Street
Chicago, IL 60604

111 Pine Street
San Francisco, CA 94111

***Important Note:*** *a* special exception *does* not *become effective until such time as it is granted by the Department of Energy and the applicant has been notified.*

### Part G: Obtaining Further Information

**1. Toll-Free Telephone Lines.** Information concerning this program and how to comply with its regulations may be obtained by using the toll-free telephone numbers listed below. The lines will be operational between 9:00 A.M. and 5:30 P.M. (Eastern time), Monday through Friday.

| | |
|---|---|
| Continental U.S.: | 800-424-9122 |
| Alaska, Hawaii, Puerto Rico, Virgin Islands: | 800-424-9088 |
| Metropolitan Washington, D.C.: | 252-4950 |

**2. DOE Regional Offices.** Additional program information and materials may be obtained from the following Department of Energy Regional Offices.

| | |
|---|---|
| **Region I**<br>150 Causeway St.<br>Boston, MA 02114<br>(617) 223-3106 | Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont |
| **Region II**<br>26 Federal Plaza<br>New York, NY 10007<br>(212) 264-8856 | New Jersey, New York, Puerto Rico, Virgin Islands |
| **Region III**<br>1421 Cherry St.<br>Philadelphia, PA 19102<br>(215) 597-3606 | Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia |
| **Region IV**<br>1655 Peachtree St., N.E.<br>Atlanta, GA 30309<br>(404) 881-2838 | Alabama, Canal Zone, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee |
| **Region V**<br>175 W. Jackson St.<br>Chicago, IL 60604<br>(312) 353-1036 | Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin |
| **Region VI**<br>2626 W. Mockingbird Lane<br>P.O. Box 35228<br>Dallas, TX 75235<br>(214) 767-7777 | Arkansas, Oklahoma, Louisiana, New Mexico, Texas |
| **Region VII**<br>324 East 11 St.<br>Kansas City, MO 64106<br>(816) 374-3815 | Iowa, Kansas, Missouri, Nebraska |
| **Region VIII**<br>1075 S. Yukon<br>P.O. Box 26247, Belmar Branch<br>Lakewood, CO 80226<br>(303) 234-2765 | Colorado, Montana, North Dakota, South Dakota, Wyoming, Utah |
| **Region IX**<br>111 Pine St.<br>San Francisco, CA 94111<br>(415) 556-7148 | American Samoa, Arizona, California, Guam, Hawaii, Nevada, Trust Territories of the Pacific |
| **Region X**<br>915 Second Ave.<br>Seattle, WA 98174<br>(206) 442-7285 | Alaska, Idaho, Oregon, Washington |